



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/043,260	01/14/2002	Hiroaki Kitahara	041514-5211

009629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004

CONFIRMATION NO. 4661

## FORMALITIES LETTER



"OC0000000007521090"

Date Mailed: 02/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

04/17/2002 AOSMAN1 00000067 500310 10043260

01 FC:101 740.00 CH  
 02 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Shirley Gerenzien  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



MP  
\$

PATENT  
ATTORNEY DOCKET NO.: 041514-5211

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Hiroaki KITAHARA, et al. )  
Application No.: 10/043,260 ) Group Art Unit: 2881  
Filed: January 14, 2002 ) Examiner: Unassigned

For: **LASER-BASED MEASURING APPARATUS AND METHOD**

Commissioner of Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed February 22, 2002.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicants hereby petition for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

An assignment of the invention to Pioneer Corporation and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

			Fee Code
	Number Filed	Number Extra	Basic Fee
		at a Rate of (Lg./Sm.Entity)	\$740.00 101/201
Total Claims	8 - 20 =	\$18/\$9 each=	\$ 103/203
Independent Claims	2 - 3 =	\$84/\$42 each=	\$ 101/202
Multiple dependent claim(s), if any		\$280/\$140	\$ 104/204
		<b>SUB-TOTAL =</b>	<b>\$740.00</b>
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))		\$130/\$65	\$130.00 105/205
		\$110/\$55 (1 Month)	115/215
		\$400/\$200 (2 Months)	116/216
		\$920/\$460 (3 Months)	117/217
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$1440/\$720 (4 Months)	118/218
		\$1960/\$980 (5 Months)	128/228
		<b>SUB-TOTAL =</b>	<b>\$ 870.00</b>
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))		\$130.00	\$ 139
Assignment Recordation Fee		\$ 40.00	\$40.00 581
		<b>TOTAL FILING FEE =</b>	<b>\$910.00</b>

8. Fee Payment

- Please charge Deposit Account No. 50-0310 in the amount of \$ 910.00 representing the total fee due.
- Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

- Preliminary Amendment
- Submission of Formal Drawings with 10 sheets of drawings
- Claim for Priority
- Certified copy of Japanese Application No. 2001-10113
- Information Disclosure Statement
- Form PTO-1449, \*\* references as listed
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- Other:

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



John G. Smith  
Reg. No. 33,818

Date: April 15, 2002

**CUSTOMER NO. 09629**  
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PATENT  
ATTORNEY DOCKET NO. 041514-5211

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Hiroaki KITAHARA, et al. )  
Application No.: 10/043,260 ) Group Art Unit: 2881  
Filed: January 14, 2002 ) Examiner: Unassigned

For: **LASER-BASED MEASURING APPARATUS AND METHOD**

Commissioner for Patents  
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**SUBMISSION OF FORMAL DRAWINGS**

Filed herewith are ten (10) sheets of formal patent drawings containing ten (10) figures. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
John G. Smith  
Reg. No. 33,818

Dated: April 15, 2002

Customer No. 009629  
**MORGAN, LEWIS AND BOCKIUS LLP**  
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